

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
CHICAGO DIVISION**

CASE NO.: 1:24-cv-1617

TIM LAMAN,

Plaintiff,

v.

STEVE DALE PETWORLD, LLC,

Defendant,

COMPLAINT FOR COPYRIGHT INFRINGEMENT

(INJUNCTIVE RELIEF DEMANDED)

Plaintiff TIM LAMAN by and through his undersigned counsel, brings this Complaint against Defendant STEVE DALE PETWORLD, LLC for damages and injunctive relief, and in support thereof states as follows:

SUMMARY OF THE ACTION

1. Plaintiff TIM LAMAN (“Laman”) brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute Laman's original copyrighted Work of authorship.

2. Tim Laman is a noted field biologist, wildlife photojournalist, and filmmaker. He spends many months each on expeditions to all seven continents to explore and document rare species and biodiversity. Tim has won numerous prestigious awards including "Wildlife Photographer of the Year" in 2016 and the NANPA (North American Nature Photography Association) recognition as "Nature Photographer of the Year.”

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3. Defendant STEVE DALE PETWORLD, LLC (“SDP”) is a pet expert and certified animal behavior consult company. At all times relevant herein, SDP owned and operated the internet website located at the URL <https://stevedalepetworld.com/> (the “Website”).

4. Laman alleges that Defendant copied Laman’s copyrighted Work from the internet in order to advertise, market and promote its business activities. SDP committed the violations alleged in connection with Defendant's business for purposes of advertising and promoting sales to the public in the course and scope of the SDP's business.

JURISDICTION AND VENUE

5. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

6. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

7. Defendant is subject to personal jurisdiction in Illinois.

8. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, SDP engaged in infringement in this district, SDP resides in this district, and SDP is subject to personal jurisdiction in this district.

DEFENDANT

9. Steve Dale PetWorld, LLC is an Illinois Limited Liability Company, with its principal place of business at 630 W. Sheridan Rd., Unit 5W, Chicago, Illinois, 60613, and can be served by serving its Registered Agent, Steve Dale Szarvas, at 630 W. Sheridan Road Suite 5W, Chicago, IL 60613.

THE COPYRIGHTED WORK AT ISSUE

10. In 2015, Laman created the photograph entitled “MM8117_140310_17038,” which is shown below and referred to herein as the “Work”.



11. Laman registered the Work with the Register of Copyrights on October 17, 2016, and was assigned registration number VAu 1-270-202. The Certificate of Registration is attached hereto as **Exhibit 1**.

12. Laman's Work is protected by copyright but was not otherwise confidential, proprietary, or trade secrets.

13. At all relevant times Laman was the owner of the copyrighted Work at issue in this case.

INFRINGEMENT BY SDP

14. SDP has never been licensed to use the Work at issue in this action for any purpose.

15. On a date after the Work at issue in this action was created, but prior to the filing of this action, SDP copied the Work.

16. On or about May 31, 2023, Laman discovered the unauthorized use of his Work on the Website. SDP used the Work on the Website in an article titled “Newly Discovered Orangutan Species Among Endangered Great Apes.”

17. SDP copied Laman's copyrighted Work without Laman's permission.

18. After SDP copied the Work, it made further copies and distributed the Work on the internet to promote the sale of goods and services as part of its regular business activities.

19. SDP copied and distributed Laman's copyrighted Work in connection with Defendant's business for purposes of advertising and promoting Defendant's business, and in the course and scope of advertising and selling products and services.

20. Laman's Work is protected by copyright but is not otherwise confidential, proprietary, or trade secrets.

21. SDP committed copyright infringement of the Work as evidenced by the documents attached hereto as **Exhibit 2**.

22. Laman never gave Defendant permission or authority to copy, distribute or display the Work at issue in this case.

23. Laman notified SDP of the allegations set forth herein on June 07, 2023 and June 22, 2023. To date, the parties have failed to resolve this matter.

COUNT I
COPYRIGHT INFRINGEMENT

24. Laman incorporates the allegations of paragraphs 1 through 23 of this Complaint as if fully set forth herein.

25. Laman owns a valid copyright in the Work at issue in this case.

26. Laman registered the Work at issue in this case with the Register of Copyrights pursuant to 17 U.S.C. § 411(a).

27. SDP copied, displayed, and distributed the Work at issue in this case and made derivatives of the Work without Laman's authorization in violation of 17 U.S.C. § 501.

28. SDP performed the acts alleged in the course and scope of its business activities.

29. Defendant's acts were willful.

30. Laman has been damaged.

31. The harm caused to Laman has been irreparable.

WHEREFORE, the Plaintiff TIM LAMAN prays for judgment against the Defendant STEVE DALE PETWORLD, LLC that:

a. SDP and its officers, agents, servants, employees, affiliated entities, and all of those in active concert with them, be preliminarily and permanently enjoined from committing the acts alleged herein in violation of 17 U.S.C. § 501;

b. SDP be required to pay Laman his actual damages and Defendant's profits attributable to the infringement, or, at Laman's election, statutory damages, as provided in 17 U.S.C. § 504

c. Laman be awarded his attorneys' fees and costs of suit under the applicable statutes sued upon;

d. Laman be awarded pre- and post-judgment interest; and

e. Laman be awarded such other and further relief as the Court deems just and proper.

JURY DEMAND

Laman hereby demands a trial by jury of all issues so triable.

DATED: February 27, 2024

Respectfully submitted,

/s/ Craig A. Wirth

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